



An  
Bord  
Pleanála

## Inspector's Report

### ABP-313898-22

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| <b>Development</b>                  | Demolition of existing shed and construction of first floor side extension, single storey rear extension, attic conversion and shed. |
| <b>Location</b>                     | 49 The Grove, Celbridge, Co. Kildare.  |
| <b>Planning Authority</b>           | Kildare County Council   |
| <b>Planning Authority Reg. Ref.</b> | 22/266   |
| <b>Applicants</b>                   | Jonathan & Aileen Talbot   |
| <b>Type of Application</b>          | Permission.  |
| <b>Planning Authority Decision</b>  | Grant  |
| <b>Type of Appeal</b>               | Third Party  |
| <b>Appellants</b>                   | 1. Brian Leydon<br>2. John and Ruth Page.  |
| <b>Observer(s)</b>                  | None.  |
| <b>Date of Site Inspection</b>      | 14 <sup>th</sup> June 2023   |
| <b>Inspector</b>                    | Lucy Roche   |

## 1.0 Site Location and Description

- 1.1. The appeal site is in The Grove, a residential housing estate in Celbridge, approximately 0.5km south of the Celbridge, Main Street and 2.7km south of M4, Junction 6. The Grove is accessed via Newtown Road, c0.2km to the northwest.
- 1.2. The appeal site with a stated area of 0.265ha, is located centrally and on the northwestern side, of a residential cul-de-sac within the estate. The site accommodates a two-storey, semi-detached house, with a gross floor area of c101sqm. Material finishes comprise a mix of brick and painted render. The property has the benefit of onsite parking and amenity space to the front, private amenity space to the rear and a southern orientation. The front of the property is open to the public footpath, while the rear garden area is bounded block wall, c2m in height. There is an existing detached, flat roof shed in the rear garden.

## 2.0 Proposed Development

- 2.1. The proposed development comprises:
  - The demolition of existing detached shed (5m (L) x 2.78m (W) x 2.9m (H); 12.5sqm GFA) and boiler house (2m (L) x 1m (W) x 2.9m (H); 2sqm GFA) in the rear garden.
  - The construction of a new first floor side extension with modifications to front elevation.
  - The construction of a single storey rear extension measuring 4.4m in depth and 3.915m in height with a GFA of 31sqm,
  - The conversion of the attic to storage space with a rear dormer and a roof light on the front elevation.
  - New window and relocated door on ground floor side elevation, slight relocation of first floor rear bedroom window at first floor.
  - New wood burning stove internally with a stainless-steel flue pipe seen externally on rear elevation.

- New detached shed / store (c21sqm) equipped with outdoor bathroom and log store with pitched roof at the end of the rear garden.

## 2.2. Response to Further Information Lodged 10<sup>th</sup> May 2022

In response to a request for further Information:

- The height of the outbuilding was reduced from 4.340m to 3.950m (c2m higher than the opposing rear boundary)
- The WC and shower were omitted from the outbuilding.
- The design of the box dormer serving the attic space was modified and reduced in scale.
- The stainless-steel flue was rerouted internally to emerge to the roof pane at a similar level/height to the abutment/flashing of the proposed box dormer.

## 3.0 Planning Authority Decision

### 3.1. Decision

Kildare County Council did by order dated decide to grant permission for the proposed development subject to 14 number conditions. Condition 4 is noted:

Condition 4 The outbuilding hereby permitted shall be used for domestic purposes only and shall remain ancillary to the dwelling. It shall be not be provided with a WC or shower. It shall not be used for human habitation, for any commercial use or for the carrying out of any trade. The structure shall not be let or sold separately to the dwelling.

Reason: In the interests of clarity and to regulate the use of the development in the interests of the proper planning and sustainable development of the area

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The initial report of the Case Planner (April 2022) has regard to the location context of the site and relevant planning policy as well as the third-party submissions and departmental reports received.
- The Case Planner has regard to the zoning of the site and the nature of the proposed development and considers the principle of development to be acceptable.
- Given the presence of an ensuite and dressing room within the converted attic space, the proposed floor area would appeal to be an additional bedroom.
- The Case Planner in their assessment raised concerns in relation to the design and scale of the proposed outbuilding and its impact on residential amenity due to the limited quantum of private open space to be retained, and the inclusion of a WC and shower within its internal layout. Concerns are also raised regarding the impact on visual amenity of the stainless-steel flue. The report concludes with a recommendation for further information.
- A note from the Senior Executive Planner is attached to the end of the report. The SEP notes that the proposed ground floor extension and shed are within what is allowable under the exempted development regulations and considers the quantum of private open space to be retained, at just under 35sqm, to be acceptable. The SEP raises concerns regard the scale and design of the box dormer feature. The further information request is modified with information requested on the design of the outbuilding, box dormer and stainless-steel flue.
- Following receipt of further information, the case planner recommended that permission be granted subject to conditions as per the Council's decision.

### 3.2.2. Other Technical Reports

Water Services: Recommends standard condition regarding surface water drainage.

### 3.3. Prescribed Bodies

Uisce Eireann: No objection subject to condition

### 3.4. Third Party Observations

The planning authority received 7 third-party submissions during the course of their determination of the application. The issues raised in these submissions have been grouped and are summarised below:

- The height of the detached shed is excessive. It will obstruct views, cast shade on adjoining properties and be difficult to maintain. The inclusion of a bathroom indicates potential habitable use.
- The proposed attic conversion (dormer) will be visually obtrusive and at odds with the visual appearance of adjoining properties. It will result in overlooking / loss of privacy.
- First floor side extension and 'velux' window to front will adversely impact on visual aspect of the street and would be out of character with the area.
- Single storey rear extension would create loss of light and overshadowing of adjoining properties.
- Existing issues with sewerage in the estate (blockages etc) should be taken into consideration.
- A submission in support of the application considers that the proposed works will enable the property to cater for the growing needs of the family, improve the properties layout and space help maximise solar gain.

### 4.0 Planning History

None of relevance

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The application was assessed by Kildare County Council in accordance with the policies and objectives of the Kildare County Development Plan 2017-2023. The Kildare County Development Plan 2023-2029 was adopted by Kildare County Council on the 9th of December 2022 and came into effect on the 28<sup>th</sup> of January 2023. I have assessed the proposal under the provisions of the operative Development Plan, namely the Kildare County Development Plan 2023-2029.

### 5.1.2. Kildare County Development Plan 2023-2029

#### Section 15.4.12 Extensions to Dwellings

Adapting residential units through extensions can sustainably accommodate the changing needs of occupants subject to the protection of residential and visual amenities. A well-designed extension can provide extra space, personalise, and enhance the appearance of a dwelling. It would not be practical to set out a prescriptive approach to the design of extensions that would cover every situation, nor is it desirable to inhibit innovation or individuality. The following basic principles shall be applied:

- The extension should be sensitive to the appearance and character of the house and the local area (urban or rural).
- The extension shall have regard to the form and scale of the existing dwelling and should not adversely distort the scale or mass of the structure.
- The design and scale should have regard to adjoining properties.
- A flexible approach will be taken to the assessment of alternative design concepts and high-quality contemporary designs will be encouraged. A different approach may apply in the case of a Protected Structure, structures with significant heritage or within an Architectural Conservation Area.
- In rural areas, the design of extensions should have regard to the Key Principles set out in Appendix 4 Rural House Design Guide.

- The extension should not provide for new overlooking or loss of privacy below reasonable levels to the private area of an adjacent residence.
- The cumulative impact of the existing extent of overlooking and the overlooking that would arise as a result of any proposed extension need to be considered.
- The extension should not have an overbearing impact on neighbouring properties. Large extensions, particularly if higher than one storey, should be moved away from neighbouring property boundaries.
- New extensions should not overshadow adjacent dwellings to the degree that there is a significant decrease in daylight or sunlight entering into the house.
- An adequate area of private open space, relative to the size of the dwelling should be retained, generally not less than 25sq.m.
- Where required, it will be necessary to demonstrate that the existing on-site wastewater treatment system serving the main dwelling can facilitate the additional loading from the proposed extension. Where this cannot be demonstrated, it will be necessary for the on-site wastewater treatment system to be upgraded as part of the development proposal.

#### Section 15.4.13 Domestic Garage / Store / Home-Work Pod / Garden Room

The development of a domestic garage/store/home-work pod /garden room for use ancillary to the enjoyment of a dwelling house will be considered subject to compliance with the following standards:

- The domestic garage/store/home-work pod /garden room shall be single storey only, with a maximum gross floor area of 40m<sup>2</sup> and a maximum ridge height of 5m.
- The unit shall generally be located behind the front building line of the existing dwelling.
- In urban areas, the development will be assessed on the scale of the space surrounding the dwelling and any impact on neighbouring properties.

- The design and external finishes of the unit shall generally be in keeping with that of the dwelling house.
- The unit shall only be used for purposes ancillary to the enjoyment of the dwelling house and not for human habitation.
- The Planning Authority may consider exceptions to the criteria above having regard to the need for the development and the location and characteristics of the subject site.

## 5.2. **Celbridge Local Area Plan 2017-2023**

The appeal site is zoned 'B' – Existing Residential / Infill with the associated lands use objective '*to protect and enhance the amenity of established residential communities and promote sustainable intensification*'.

## 5.3. **Other**

- BRE Guidance; Site Layout Planning for Daylight and Sunlight (2022)

## 5.4. **Natural Heritage Designations**

The site is not within or directly adjacent to any designated site. The Rye Water Valley/Cartron SAC/NHA (Site code:001398) is located c4.8km to the north while the Grand Canal NHA is located c2.2km to the south.

## 5.5. **EIA Screening**

Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded. An EIA - Preliminary Examination form has been completed and a screening determination is not required.



## 6.0 The Appeal

### 6.1. Grounds of Appeal

Two third-party appeals were lodged against the decision of Kildare County Council to grant permission for development at 49 the Grove, Celbridge. The appeals were received from John and Ruth Page whose property adjoins the appeal site to the north and Brian Leydon whose property adjoins the appeal site to the west. The issues raised in each of the appeal submissions can be summarised as follows:

#### John and Ruth Page (49 The Grove)

This appeal relates specifically to the decision of Kildare County Council to grant permission for the construction of a new detached shed at the end of the rear garden of No.49 The Grove. The issues raised are summarised as follows:

- The height of the proposed detached lean-to storage shed is excessive and will be visually intrusive.
- It will increase the amount of shade in the appellant's garden.

#### Brian Leydon

This appeal relates specifically to the decision of Kildare County Council to grant permission for the construction of a first-floor extension to the front over the existing porch of No.49 The Grove. The issues raised are summarised as follows:

- The proposed extension would be visually obtrusive and would interrupt the symmetry of the streetscape.
- There are no properties on this road where an extension at first floor level over the porch has been constructed therefore there is no precedent for this type of development on this road.

## 6.2. Applicant Response

The applicant's response to the issues raised in the two third-party appeals is set out in correspondence received by the Board on the 21<sup>st</sup> of July 2022 and can be summarised as follows:

- The development granted by the planning authority comprises modest alterations to an existing dwelling in an established urban area. The alterations are required to meet the needs of a growing family.
- The proposed shed would come within the provisions of Schedule 2, Part 1 Class 3 of the Planning and Development Regulations (2001-2022) insofar as it is an ancillary external domestic structure of less than 25sqm with a pitched roof of less than 4m in height.
- The omission of the WC and shower from the shed structure is onerous and unnecessary in light of Condition 3 which regulates the use of the development.
- In respect of the first-floor extension: the modest infilling of the existing void over the porch respects the established building line (the slight recess articulates it as an addition to the original structure) and as such it cannot be reasonable said to be visually obtrusive nor will it have an adverse impact on the adjoining property. It would represent an appropriate adaptation of an existing dwelling.
- In respect of the proposed shed, the applicants recognise that the proposed shed abutting the communal boundary with No.28 to the rear represents a new intervention however they do not consider this a reason for refusal. The nature, scale and height of the shed come within the exempted development provisions of the Regulations. The appellants are not entitled to an unchanged general view of the area, particularly when this view comprises existing abutting residential properties. No impact on privacy, access to sunlight / daylight or overshadowing arise. Any shadow cast will fall on the appellants existing shed which abuts the communal boundary. The mono-pitched nature of the shed is important as it will facilitate the provision of optimally orientation

solar panels in the future. A reduction to a maximum height of 3.1m (as suggested) would render the structure unviable.

- Notwithstanding, the applicants proposed two further concessions, as follows:

**Option A:** - The provision of vertical treated timber battens to the rear elevation of the shed to 'soften' its appearance.

**Option B:** - The design of the shed could be modified from a mono-pitch roof to a dual-pitched roof, reducing the height to 3.3m. the roof however would no longer be optimal for solar panels.

The proposed modifications are detailed on drawings submitted with the applicant's response, they are offered without prejudice with the firm belief that the shed of an appropriate height, scale and design as granted by KCC

- The applicant submission includes the following:
  - Photographs to demonstrate:
    - The variety of house types in The Grove,
    - The presence of front and rear velux windows on the cul-de-sac and neighbouring street.
    - The extent of overlooking that currently exists from the first-floor window.
    - box type dormer extensions in the area,
    - an example of a first-floor extension over porch (Maynooth).
    - The selection of large shed within the estate.
  - Shadow analysis showing the sun at Equinox on the 20<sup>th</sup> of March at 10:00hrs, 12:00hrs and 14:00hrs from the existing dwelling and for the proposed dormer attic and the shed structure as originally proposed (at a height of 4.34m).
  - A summary and response to the issues raised in third party submissions to the planning authority (collectively and individually)
  - Revised plans and elevations detailing the proposed shed design alternatives.

### 6.3. **Planning Authority Response**

None received.

### 6.4. **Observations**

None

## 7.0 **Assessment**

### 7.1. **Introduction**

7.1.1. As indicated, the appeal refers to the development as submitted to the Planning Authority, on the 10<sup>th</sup> of March 2022, as amended by way of further information received on the 10<sup>th</sup> of May 2022. The following assessment, therefore, focuses on that proposal (as amended).

7.1.2. Having examined the application details and all other documentation on file, (including the submissions received in relation to the appeal), and inspected the site, I consider that the main issues in this appeal relate to the first-floor front extension in terms of its impact on the visual amenity and character of the streetscape, and the height and design of the proposed shed and its impact on adjoining properties. Appropriate assessment also merits consideration. I am satisfied that all other issues have been adequately addressed by the Planning Authority and that no other substantive issues arise. Accordingly, the issues for consideration are addressed below.

### 7.2. **First-floor Front Extension:**

7.2.1. The appeals site is located on a cul-de-sac within the residential housing development of The Grove. Existing dwellings on the cul-de-sac comprise two opposing rows of nearing identical two-storey, semi-detached dwellings, variations in design relate mainly to changes in fenestration (colour, design, and finish), colour of material finishes and front boundary treatment etc, rooflights have also been incorporated to the front and/or rear elevations of some units, establishing a

precedent. A shared feature in the design of all houses on the cul-de-sac is the partial set-back (c2.5m) of the front façade with the setback space occupied by a single storey canopy structure over the front door. In each case, the roof of the canopy extends to the side of the dwelling, covering the access to the property's side return, before connecting with a similar structure on the neighbouring property. In the case of No. 49, and the majority of dwellings on the cul-de-sac, the canopied area has been enclosed forming a single storey porch.

- 7.2.2. As part of this proposed development, the applicants are seeking to extend the property by way of a first-floor extension over the existing single storey porch. The proposed extension will retain a c500mm set back from the front building line and is to be finished in Brick. A new (larger) window is proposed at first floor level and the porch is to be modified to include a new composite front door and side panel and a new white uPVC window which will serve a ground floor WC.
- 7.2.3. It is the opinion of the third-party appellant (No.48 the Grove) that this proposed extension would be visually obtrusive and would interrupt the symmetry of the streetscape. They note that there are no other properties on this road where an extension at first floor has been permitted and they consider that the proposal would set a precedent for further extensions of this type.
- 7.2.4. The KCDP 2023-2029, states in respect of extensions of dwellings (Section 15.4.12) that a flexible approach will be taken to the assessment of alternative design concepts and high-quality contemporary designs will be encouraged. I have had regard to the drawings submitted and inspected the site and, in my view, while the proposed first floor extension would introduce a new design intervention in the cul-de-sac, it would not unduly detract from the character or amenity of the dwelling, neighbouring dwellings or the streetscape. Furthermore, I am satisfied that the form and scale of the extension is compatible with that of the existing dwelling. However, I would recommend that the finish of the extension along with the external walls of the front porch, be amended to painted render (in lieu of brick). This alteration would allow for the retention in the contrast of external finishes and provide greater emphasis to the remaining set back, both of which are features of the original design.

### 7.3. Shed

- 7.3.1. The proposal includes for the demolition of the existing single storey, flat roofed shed, and its replacement with a new detached shed / store with a stated GFA of 21sqm. The proposed shed is to be constructed to the rear of the site, abutting the rear site boundary (the shared boundary with No. 28 The Grove), and extending the full width of the garden. The design of the structure incorporates a mono-pitched roof that increases in height from c2.7m in the front to 3.95m in the rear. The rear wall of the shed will extend c2m above the shared boundary wall. In accordance with the details submitted in support of the application, the mono-pitch nature of the shed is important as it will facilitate the provision of optimally orientated solar panels in the future.
- 7.3.2. The third-party appellants (No. 28 The Grove) contend that the height of the shed is excessive, that it will result in a high blank wall that will destroy the view from their property and cast shade on their garden. They also contend that it will be impossible to plaster/ paint this wall due to restricted access.
- 7.3.3. Section 15.4.3 of the KCDP 2023-2029 states that the development of a domestic garage/store/home-work pod /garden room for use ancillary to the enjoyment of a dwelling house will be considered subject to compliance with various standards, including that the structure be single storey with a maximum ridge height of 5m. The height of the proposed shed at 3.95m, is 1.05m lower than the maximum permitted ridge height and is therefore considered acceptable in principle. Notwithstanding, the potential impact of the proposal on neighbouring properties is I consider worthy of further consideration, particularly in light of the concerns raised by third parties.
- 7.3.4. As previously noted, the proposed shed would abut the boundary with the appellants property, No. 28 The Grove. The rear wall of the shed would extend c1.95m above the height of the boundary wall, and as a result would alter the outlook from No.28 and to a lesser extent from the adjoining properties to the east and west. However, having regard to the location of the development within an established residential area, where changes to the receiving environment from this type of building activity is to be expected, and having regard to the nature, scale and location of the structure

proposed, I do not consider the impact of this development in terms of overbearing / visual impact would be so significant as to warrant a refusal or significant redesign. The applicant has provided the option of affixing treatment vertical timber battens to the rear elevation of the shed (design Option A, as detailed in the applicant's response to the grounds of appeal), to 'soften' the appearance of the blank façade and to reduce maintenance. This is I consider as a suitable design alteration in light of the concerns raised.

- 7.3.5. In response to concerns regarding overshadowing, the applicant has submitted a shadow analysis for the shed structure at its originally proposed height of 4.34m. The images provided show the sun at Equinox on the 20<sup>th</sup> of March at three time periods (10:00hrs; 12:00hrs and 14:00hrs) for both the existing dwelling and proposed shed. For reference, it is noted that as standard, BRE guidance recommends that at least half of the rear garden of a house should receive two hours sunlight on the 21<sup>st</sup> of March (Site Layout Planning for Daylight and Sunlight (2022) Section 3.3.7, Pg.27).
- 7.3.6. From the information submitted, it would appear that the proposed shed would result in some additional overshadowing of neighbouring rear garden areas, including that of the appellant, on the 20<sup>th</sup> of March (the variance in sunlight duration between the 20<sup>th</sup> and 21<sup>st</sup> of March would I consider be minimal). However, having regard to the height and scale of the proposed shed; the orientation of the site, the size and layout of neighbouring amenity spaces and the location of neighbouring shed structures, it is my view that the proposed shed would not result in undue overshadowing of neighbouring properties. Furthermore, it would appear from the information provided that in all cases the requirements of the BRE guidance for sunlight to amenity spaces would be met.
- 7.3.7. Condition 4 of the Planning Authority's decision restricts the use of the shed for domestic purposes only in accordance with the requirements of the KCDP 2023-2029 (Section 15.14.3), and I recommend that a similar condition be included in a grant of planning permission should the Board decide in favour of the proposal. I note that the condition further states that the shed shall not be provided with a WC or shower. While the applicants have not appealed the condition, they have described stipulation as 'onerous and unnecessary' and I tend to agree with the applicant's

opinion in this regard as I consider the restriction on the use of the garage as sufficient. I therefore do not recommend that this stipulation be included in a grant of permission.

- 7.3.8. In conclusion I am satisfied that the provision of a shed for domestic purposes only would be acceptable in principle on this site and would accord with the development standards for such structures as set out in Section 15.4.13 of the development plan. The height, scale and design of the structure proposed would not, in my opinion, have a significant adverse impact on the amenities of adjoining properties particularly in terms of overbearing or overshadowing.

#### **7.4. Appropriate Assessment**

Having regard to the nature and small scale of the proposed development within a serviced urban area and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

#### **8.0 Recommendation**

- 8.1. I recommend that permission be granted subject to conditions.

#### **9.0 Reasons and Considerations**

Having regard to the residential zoning objective, the nature, scale, and design of the development (as amended) it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not adversely affect the residential or visual amenities of the area or the character of the streetscape. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



## 10.0 Conditions

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| 1. | <p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted on the 10<sup>th</sup> day of March 2022.</p> <p>Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p> |
| 2. | <p>The existing dwelling and proposed extensions shall be jointly occupied as a single residential unit and the extension shall not be sold, let, or otherwise transferred or conveyed save as part of the dwelling.</p> <p><b>Reason:</b> To restrict the use of the extension in the interests of residential amenity.</p>  |
| 3. | <p>The outbuilding hereby permitted shall be used for domestic purposes only and shall remain ancillary to the dwelling. It shall not be used for human habitation, for any commercial use or for the carrying out of any trade. The structure shall not be let or sold separately to the dwelling.</p> <p><b>Reason:</b> In the interests of clarity and to regulate the use of the development in the interests of the proper planning and sustainable development of the area</p>  |
| 4. | <p>The proposed development shall be amended as follows:</p> <p>(a) The first-floor extension to the front of the dwelling and the external walls of the modified front porch shall be amended to incorporate a painted render finish in lieu of the proposed brick finish.</p>   |

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|    | <p>(b) Treated vertical timber battens shall be affixed the top half of the sheds rear (northwestern) elevation.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to and agreed in writing within the planning authority prior to the commencement of development.</p> <p><b>Reason:</b> In the interest of architectural harmony and visual amenity</p>  |
| 5. | <p>Details of the materials, colours, and textures of all the external finishes to the proposed extension and garage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>  |
| 6. | <p>The proposed development shall not encroach on or overhang any third-party property.</p> <p><b>Reason:</b> In the interest of clarity.</p>  |
| 7. | <p>Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health</p>  |
| 8. | <p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the amenities of property in the vicinity.</p> |

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| 9. | <p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p> |
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Lucy Roche  
Planning Inspector

19<sup>th</sup> of June 2023